

LIECHTENSTEIN 2022 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Principality of Liechtenstein is a multiparty constitutional monarchy with a parliamentary government. Prince Hans Adam II is the official head of state, although Hereditary Prince Alois performs the day-to-day duties of head of state, exercising the rights of office on behalf of the reigning prince. The unicameral parliament (Landtag) nominates, and the monarch appoints, members of the government. Five ministers, two from the Progressive Citizens' Party and three from the Patriotic Union Party, formed a coalition government following free and fair parliamentary elections in February 2021.

The national police maintain internal security and report to the Department of Civil Defense. The country does not have an army. Civilian authorities maintained effective control over the security forces. There were no reports of abuses committed by members of the national police.

There were no reports of significant human rights abuses.

The government had mechanisms in place to identify and punish officials who may commit human rights abuses or engage in corruption.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or

Punishment, and Other Related Abuses

The constitution and law prohibit such practices, and there were no reports that government officials employed them. There were no reports of impunity in the security forces.

Prison and Detention Center Conditions

There were no significant reports regarding prison or detention center conditions that raised human rights concerns.

Pursuant to bilateral treaties with Austria and Switzerland, the country's authorities accommodated its long-term prisoners in Austria and confined prisoners undergoing release procedures in detention centers in Switzerland and Austria.

Abusive Physical Conditions: Individuals undergoing pretrial detention or awaiting deportation and extradition continued to be held in the country's only prison, which had a 20-bed capacity. Since the facility served as a short-term prison, authorities asserted they could not always separate different categories of detainees. Women detainees had their own section with four beds. Due to lack of space and the generally low number of juvenile detainees, authorities usually accommodated juveniles in the women's ward. According to the Liechtenstein Human Rights Association (LHRA), some juveniles faced long-term imprisonment in Austrian facilities far away from their families or were held in Austrian prisons with adults. In 2021 offenses committed by juveniles decreased from 84 to 25.

Administration: Authorities conducted investigations of credible allegations of mistreatment.

Independent Monitoring: The government permitted monitoring by independent nongovernmental observers, including local human rights groups, media, and the Council of Europe's Committee for the Prevention of Torture, among others. The committee last visited the country in 2016.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in

court. The government generally observed these requirements.

Arrest Procedures and Treatment of Detainees

Police detain a suspect based on an arrest warrant issued by the national court. According to the law, every detainee must be informed of the reasons for the detention at the time of detention or immediately thereafter. Within 48 hours of arrest, police must bring suspects before an examining magistrate, who must either file formal charges or order the suspect's release. Authorities respected this right. The law permits the release of suspects on personal recognizance or bail unless the examining magistrate has reason to believe the suspect represents a danger to society or would not appear for trial. Alternatives to bail include supervision by a probation officer and restrictions on movement. The law grants suspects the right to a lawyer of their own choosing during pretrial detention, and the government provided lawyers at its own expense to indigent persons. During the investigative detention, authorities may monitor visits to prevent tampering with evidence.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence and impartiality.

Trial Procedures

The constitution and law provide for the right to a fair and public trial, and an independent judiciary generally enforced this right.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Individuals and organizations may seek civil remedies for human rights abuses through domestic courts. Individuals and organizations may appeal adverse domestic decisions involving alleged violations of the European Convention on Human Rights to the European Court of Human Rights.

Property Seizure and Restitution

In 2001 an independent commission of historians examined the country's role during World War II. The commission examined all remaining archives of banks, fiduciaries, attorneys, governmental agencies, and art collections for evidence of stolen assets. The commission found no evidence that looted Jewish holdings entered the country or were in 2001 held in the country. According to the World Jewish Restitution Organization Claims Conference there were no claims of this kind by survivors.

The government has no laws in place specifically regulating resolution of Holocaust-era claims, but general laws and mechanisms to claim stolen cultural goods exist.

The Department of State's Justice for Uncompensated Survivors Today (JUST) Act report to Congress, released publicly in July 2020, can be found on the Department's website: <https://www.state.gov/reports/just-act-report-to-congress/>.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibit such actions, and there were no reports that the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution and law provide for freedom of expression, including for members of the press and other media, and the government generally respected this right. An independent media, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for members of the media.

Freedom of Expression: The law prohibits public insults, including via electronic means, directed against an individual's race, language, ethnicity, religion, world

view, gender, disability, age, and sexual orientation, with a possible prison sentence of up to two years for violations. In 2021, five infractions against this law on discrimination were registered, of which four were resolved in that authorities were able to successfully close the case. There was no information on any prosecutions or penalties for these infractions.

Libel/Slander Laws: The law prohibits the disparagement of religious teachings. Anyone who publicly disparages a person or a thing that is the object of worship of a church or religious society established within the country or a religious doctrine, custom, or institution of such a church or a legally permissible institution in a manner that “is likely to give rise to justifiable annoyance” is liable to imprisonment not exceeding six months or a heavy fine. In 2021 there were three convictions under these laws based on two criminal complaints from 2020 and one from 2021.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority.

b. Freedoms of Peaceful Assembly and Association

The constitution and law provide for the freedoms of peaceful assembly and association, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

e. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees or asylum seekers, as well as other persons of concern.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The law allows asylum seekers under deportation orders to be granted an appeal hearing if requested within five days after the decision. The law permits persons from safe countries of origin who are ruled to be ineligible for asylum to be processed for denial of asylum within a maximum of seven days.

The LHRA expressed concern that the law does not contain hardship provisions for family reunification, especially for children. There were no reports of family separations among asylum seekers or refugees.

Safe Country of Origin/Transit: Persons originating from a safe country were not eligible for asylum and were deported. Individuals that had passed through safe countries could apply for asylum if they had not previously applied for asylum in another country under the Dublin accords.

Freedom of Movement: In some cases, authorities detained unsuccessful asylum applicants pending their deportation. In 2020 there were seven cases of detention of unsuccessful asylum applicants prior to their deportation.

Temporary Protection: The government also provided subsidiary and humanitarian protection to individuals who may not qualify as refugees and provided this protection to 21 persons during 2021.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: In February 2021 the country held parliamentary elections. There were no reports of irregularities.

Participation of Women and Members of Minority Groups: No laws limit the participation of women or members of minority groups in the political process, and they did participate.

As a hereditary monarchy, the country's line of succession is restricted to male descendants of the country's princely family. In 2020 the Women's Network, an umbrella organization of women's nongovernmental organizations (NGOs) in the country, criticized the male line of succession as undermining the constitution's principles.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were no reports of government corruption during the year.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. The government reported it engaged with NGOs as part of the Universal Periodic Review process.

Government officials were cooperative and responsive to the views of human rights groups and supported them financially.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: Rape of a person, regardless of gender, including spousal rape, is a criminal offense. Penalties for rape and sexual violence vary between six months' and 15 years' imprisonment, depending on the degree of violence and humiliation of the survivor, and between 10 years and lifetime imprisonment if the victim is killed. The penalties for rapes of a person, regardless of gender, are the same. The government effectively prosecuted individuals accused of such crimes.

The law prohibits all forms of domestic violence and provides for restraining orders against violent family members. Police may prohibit an abuser from returning to the survivor's home where the violence was committed. Penalties for domestic violence range from fines to lifetime imprisonment if the victim is killed. According to the law, those who immigrated to the country and who have been married to a citizen for less than five years are required to prove their survivor status or sufficient integration into the country's society to avoid losing their marriage-based residence permits. The government enforced the law effectively.

In 2021 there were 101 police interventions registered under the law against spousal abuse, 27 of which led to criminal charges. Witnesses' willingness to testify in abuse cases sometimes limited efforts to prosecute cases.

In 2021 the country's women's shelter, Frauenhaus, assisted 10 women affected by domestic violence. Frauenhaus provided counseling in 57 cases related to spousal violence. The women's resource and counseling NGO Infra was contacted 20 times regarding gender-based violence. The Association for Male Questions counseled five men (one perpetrator and three survivors) on spousal violence and received three men in its shelter.

Sexual Harassment: Sexual harassment of a person, regardless of gender, is illegal and punishable by up to six months in prison or a fine, and the government effectively enforced these prohibitions. Stalking is a criminal offense. The government also considers bullying, including pressure, harassment, or blackmail

tactics in the workplace, to be a crime. In 2020 the national police recorded eight cases of sexual harassment, and the NGO Infra assisted survivors in five cases of sexual harassment.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

The government provided access to sexual and reproductive health services for survivors of sexual violence. Safe, effective, and affordable methods of family planning or contraception were available, and information was easily accessible. Emergency contraception was available as part of clinical management of rape. Abortion is only legal if the life of the mother is in danger, if the child is a result of rape or if the mother was underage. Health care for the management of complications arising from abortion was available in all cases.

Discrimination: The law provides the same legal status and rights for women as for men, including under family, religious, personal status, and nationality laws as well as laws related to labor, property, inheritance, employment, access to credit, and owning or managing businesses or property. The government's enforcement of labor contract, equal opportunity, and discrimination law was not entirely effective. The LHRA received two complaints of gender-based discrimination in 2021. The Department for Equal Opportunity published a new guideline on gender-sensitive language and received an increase in human resources.

Systemic Racial or Ethnic Violence and Discrimination

The law prohibits acts of discrimination based on racist, xenophobic, or other reasons, with violators subject to up to two years of imprisonment. The law explicitly covers acts of spreading hatred or calls for violence against members of racial, ethnic, or religious minority groups. The government generally enforced the law effectively.

There were eight criminal complaints regarding discrimination, one conviction in a case of racially motivated discrimination and two convictions based on Holocaust denial in 2021. The LHRA reported that wearing a headscarf still led to discrimination in the labor market, which is not punishable under the law against discrimination. While acts of discrimination in the public sphere are covered by

the criminal code, the private sphere, which includes employment, housing, and education, has no protection against discrimination.

The government did not condone or carry out violence or discrimination against members of racial, ethnic, or religious minority groups.

Children

Birth Registration: Citizenship is derived at birth from a child's parents. Either parent may convey citizenship. A child born in the country to stateless parents may acquire citizenship after five years of residence. All children are registered at birth and birth registration was provided on a nondiscriminatory basis.

Child Abuse: The law protects children against sexual exploitation and sexual and child abuse, including inside the family. The law stipulates a reporting obligation for the Office of Social Services if it learns of or suspects sexual abuse of children and adolescents. There is an Ombudsman Office for Children and Young People. The Victims Assistance Office, which specializes in assistance and support for individuals who have been affected directly in their physical, psychological, or sexual integrity, also aided children. An interdisciplinary Expert Group against the Sexual Abuse of Children and Young People facilitated the protection of children against sexual exploitation and sexual abuse. In 2021 the country's only women's shelter, Frauenhaus, assisted six children.

Child, Early, and Forced Marriage: The legal minimum age of marriage for both girls and boys is 18 years.

Sexual Exploitation of Children: The law prohibits the commercial sexual exploitation of minors, sale, and grooming, including child sex trafficking. Penalties for the sexual exploitation of minors range from one to 10 years' imprisonment. Possession or distribution of child pornography is a criminal offense, with penalties including up to three years in prison. Authorities effectively enforced these prohibitions. In 2021 police recorded three cases of child sexual abuse of minors. The law sets the minimum age for consensual sex at 14.

Under an agreement with the government, the Institute for Social Services' section

for child protection in Dornbirn, Austria, provided counseling for survivors of sexual abuse in the country.

Antisemitism

The Jewish community consisted of fewer than 20 individuals. Antisemitic conspiracy theories were voiced in social media and during street protests against COVID-19 restrictions. During the year there were two convictions for antisemitic acts.

Trafficking in Persons

There were no confirmed reports during the year that traffickers exploited domestic or foreign victims in the country or that traffickers exploited domestic or foreign victims from the country abroad.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: No laws criminalize consensual same-sex sexual conduct between adults.

Violence against LGBTQI+ Persons: There were no reports of violence against lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) individuals.

Discrimination: The law prohibits discrimination by state and nonstate actors, based on gender and sexual orientation, gender identity or expression, or sex characteristics and recognizes LGBTQI+ individuals, couples, and their families, particularly with respect to essential goods and services such as housing, employment, and access to government services such as healthcare. It also prohibits debasement, slander, and incitement to hate based on an individual's gender and sexual orientation and prohibits the refusal of public or governmental services based on an individual's gender and sexual orientation. The government generally enforced the law. The LHRA reported that this law may not be invoked in case of access to work, education, and housing as they legally belonged to the private sphere which was not protected by the law against discrimination. The

constitution grants equality before the law to all citizens, but there is no legal precedent whether it would provide protection in a discrimination case. Citizens also had the option to bring a case to the European Court of Human Rights. The country's LGBTQI+ community made two formal complaints during the year of abuse or discrimination, including against persons with HIV and AIDS. In May, the ban on access to fertility medicine and adoption of stepchildren by same-sex partners living in a registered partnership was lifted. Same-sex marriage is not permitted.

Availability of Legal Gender Recognition: Legal gender recognition, including nonassignment or registering a third gender, is not available.

Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: There were no reports of so-called conversion therapy being practiced, but it was legally permitted. Involuntary medical or psychological practices are punishable under criminal law.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: There were no reports of undue restrictions on the freedom of expression, association, or peaceful assembly.

Persons with Disabilities

The government's implementation of laws and programs requiring that persons with disabilities readily had access to education, employment, public buildings, information, health services, the judicial system, transport, and communications was not entirely effective. Government information and communication on disability concerns was provided in accessible format. According to the LHRA and the Liechtenstein Association for Persons with Disabilities (LAPD), there was some improvement in comparison with previous years. The revised Social Services Law came into force in September 2021. It required the government to inform clients of social institutions of measures taken and to evaluate restrictions on movement. Civil society organizations noted that persons with disabilities were well taken care of but lacked opportunities to participate in society and were not sufficiently integrated into the labor market and education systems.

As of September 2021, all websites and mobile applications of governmental

offices must be adapted to the needs of disabled persons. Websites must be adapted within two years, mobile applications within 2.5 years. The Office for Social Services is responsible for surveilling the adaptation process and is required to publish a report every three years.

The law mandates that public kindergartens and schools as well as public transportation systems built after 2006 must be accessible to persons with disabilities. Children with disabilities were able to attend public schools or a segregated school established by the country's remedial center. The LAPD noted that there was still a shortage of barrier-free, affordable housing for families with children with disabilities.

The law requires public buildings constructed before 2002 to be barrier free by 2019 and public buildings constructed between 2002 and 2007 to be barrier free by 2027. NGOs reported that the 2019 deadline was not met, and many old public buildings still lacked the necessary renovations. One cause was that renovations on historic buildings were subject to strict building codes. The law does not contain a penalty for noncompliance, but noncompliant building owners can be sued.

The law prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities. There were no reports of laws or government actions or inactions limiting the rights of persons with disabilities to participate in civic life.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the rights of all workers to form and join independent unions of their choice and to bargain collectively. The law provides for freedom of assembly but is silent on the right to strike. The law neither prohibits antiunion discrimination nor requires reinstatement of workers fired for union activity.

The government adequately enforced applicable laws, and the government and employers respected freedom of association and collective bargaining in practice. Penalties in the form of fines were commensurate with those for similar crimes,

and inspection was sufficient to enforce compliance. Penalties were regularly applied against violators.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor. The government effectively enforced the law. The LHRA reported no incidents involving forced or compulsory labor, including incidents involving children.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the worst forms of child labor and sets the minimum age for employment at 16, with exceptions for limited employment of children between the ages of 14 and 16. Children between the ages of 14 and 16 may engage in certain categories of light work, but those of compulsory school age (through age 15) may work no more than nine hours per week during the school year and 35 hours per week during school vacations. Children younger than 15 may be employed for the purposes of cultural, artistic, athletic, and advertising events. Working hours for youths between the ages of 15 and 18 are not to exceed 40 hours a week. The law prohibits children younger than 17 from working overtime and prohibits children through age 18 from engaging in night work or Sunday shifts. The law stipulates that an employer must consider the health of minors and provide them a proper moral environment within the workplace. The law also stipulates that employers may not overexert minors and that employers must protect the child from “negative influences” within the workplace.

The Office for Worker Safety of the Department of National Economy effectively enforced child labor laws and devoted adequate resources and oversight to child labor policies. Legal penalties were commensurate with those for similar crimes, and inspections by trained inspectors were adequate to enforce compliance. There were no confirmed reports of the worst forms of child labor, nor of any violations of the prohibition on child labor or minimum working age during the year.

d. Discrimination with Respect to Employment and Occupation

The law prohibits employment discrimination based on gender and disability. The law does not specifically prohibit employment discrimination based on race,

religion, national origin, color, ethnicity, age, gender identity, HIV and AIDS, or refugee status. Violations may result in the award of compensation to a prospective or dismissed employee equal to at least three months' salary in the case of gender discrimination, and unspecified civil damages in the case of discrimination against persons with disabilities.

The government generally enforced the law effectively. The country's labor inspectorate was sufficient to enforce compliance. There were no reports of violations. Penalties for violations were commensurate with penalties related to civil rights. According to statements by the Liechtenstein Institute and the LAPD, women, persons with disabilities, and LGBTQI+ individuals experienced discrimination in the labor market. In 2018 the European Commission against Racism and Intolerance (ECRI) expressed concerns that members of the LGBTQI+ community encountered prejudice and employment discrimination. The country followed the ECRI's recommendation to commission a study on issues experienced by LGBTQI+ persons. NGOs reported Muslim women with headscarves facing difficulty with being accepted for jobs.

According to the 2021 *Human Rights Report* of the Liechtenstein Institute, women in the country earned a median income 14.7 percent lower than that of men. The wage gap between women and men rose with increasing age. Only part of this wage difference could be explained objectively. According to the Liechtenstein Employees' Association (LANV), two-fifths of it could not be explained and was therefore discriminatory. The government noted the employment rate for women of 69 percent in 2019 was significantly lower in the country than in most European countries. The Women's Network also noted a difference between men and women persisted in professional promotions.

e. Acceptable Conditions of Work

Wage and Hour Laws: The law does not provide for a national minimum wage. The Liechtenstein Workers Association, a labor union, negotiates voluntary collective bargaining agreements with the Chamber of Commerce on a sector-by-sector basis. Minimum wages are reset annually in a wage and protocol agreement. Collective bargaining and wage agreements were effectively enforced, and wages exceeded the poverty level.

The law sets the maximum workweek at 45 hours for professional workers, employees of industrial firms, and sales personnel and 48 hours for other workers. Separate provisions apply to minors (see section 7.c.). Overtime may not exceed an average workweek of 48 hours over a period of four consecutive months. Some exceptions to overtime limits were authorized, for example, in the area of medical treatment.

In 2020 the Liechtenstein Institute published a study on employment relationships in the private home-care sector, where work was often performed by migrant women. The study made no allegations of compulsory labor but noted that employment relationships in home care are not subject to the Labor Law, but only to the Labor Protection Act, the General Civil Code, and the standard employment contract for domestic workers. The LHRA, the women's resource and counseling NGO Infra, and the labor union Liechtenstein Workers Association have called for parliament to bring home care under the jurisdiction of national labor law.

Occupational Safety and Health: The law sets occupational safety and health (OSH) standards that were appropriate for the main industries in the country. The labor standards also cover the thousands of workers who commute daily from neighboring countries. There are additional safeguards for youths, pregnant and breastfeeding women, and employees with children. Responsibility for identifying unsafe situations remained with OSH experts, not with workers. There were no media reports of major industrial accidents that caused the death or serious injury of workers.

Infra noted the working conditions of domestic workers and nurses employed in private homes were not subject to inspections or official labor contracts, as they are legally self-employed.

Wage, Hour, and OSH Enforcement: The Office of Labor Inspection, a part of the Department of National Economy, effectively enforced minimum wage, overtime, and OSH laws. Penalties for violations were commensurate with those for similar crimes and penalties were regularly applied against violators. The agency had two labor inspectors authorized to make unannounced inspections and levy sanctions to enforce the law effectively.

The Office of Labor Inspection effectively enforced labor laws on working conditions. It carried out 235 inspections in 2021, down from 297 in 2020, largely due to COVID-19 mitigation measures. Twenty-nine inspections resulted in recommendations to employers regarding health and safety measures or regulations governing working hours. The Labor Inspectorate issued 21 reports to the National Police based on investigations of workplace accidents. Penalties were commensurate with those for similar violations.